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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 **BOART LONGYEAR COMPANY,**

2:11-CV-2106 JCM (RJJ)

9 **Plaintiff,**

10 **v.**

11 **NATIONAL E.W.P., INC., et al.,**

12 **Defendants.**
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15 **ORDER**

16 Presently before the court is defendant National EWP Inc.'s counter motion to dismiss. (Doc.
17 #8). After defendant filed its counter motion to dismiss, plaintiff Boart Longyear Inc. filed an
18 amended complaint as a matter of course. (Doc. #15).

19 Accordingly,

20 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant National EWP
21 Inc.'s counter motion to dismiss (doc. #8) be, and the same hereby is, DENIED as moot.

22 DATED April 11, 2012.
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25 **UNITED STATES DISTRICT JUDGE**
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